

LLOYD BELL, Individually and
As Executor of the Estate of BETTY
WHITLEY BELL, Deceased,

Plaintiff,

v.

AMERICAN INTERNATIONAL
INDUSTRIES, INC., et al.,

Defendants.

V.)
)
AMERICAN INTERNATIONAL)
INDUSTRIES, INC., et al.,)
)
Defendants.)

Pursuant to Local Rule 5.4 and the Court’s bench ruling, Plaintiff Lloyd Bell, individually and as executor of the estate of Betty Whitley Bell, deceased, files this Brief in Support of Plaintiff’s Motion to Redact the Transcript of the Telephonic Motions Hearing Before the Honorable Joi E. Peake, United States Magistrate Judge, held on September 25, 2020 (ECF No. 206).¹ The transcript contains confidential, protected information.

¹ An unredacted copy of the transcript with the proposed redactions highlighted is attached as **Exhibit A**. A copy of the redacted transcript is attached as **Exhibit B**.

Ms. Bell as a human subject to be used, any use is limited to this case and disclosure of Ms. Bell as one the subjects outside this case is not permitted. (*Id.* at 76:16-24.) The Court noted that its ruling is limited to the discovery stage, and that the district judge would make such a determination as to the use and/or disclosure of such information at dispositive motions and/or trial. (*Id.* at 88:13-89:4.)

Plaintiff files the present Motion to Redact consistent with and pursuant to the Court's bench ruling during the September 25, 2020 hearing. Plaintiff seeks to redact any information in the Transcript that may identify Ms. Bell as a human subject in Dr. Moline's study.

For the reasons set forth above, Plaintiff respectfully requests that the Court grant Plaintiff's Motion to Redact the Transcript of the Telephonic Motions Hearing Before the Honorable Joi E. Peake, United States Magistrate Judge, held on September 25, 2020 (ECF No. 206).

Respectfully submitted,

/s/Frank J. Wathen

Frank J. Wathen (PHV)
Texas Bar No. 20920010
Attorney for Plaintiff
SIMON GREENSTONE PANATIER, PC
1201 Elm Street, Suite 3400
Dallas, TX 75270
214-276-7680
fwathen@sgptrial.com

/s/ William Marc Graham

William Marc Graham
NC State Bar 17972
WALLACE AND GRAHAM, PA
525 N. Main Street
Salisbury, North Carolina 28144
704-633-5244
bgraham@wallacegraham.com

Local Civil Rule 83.1 Counsel

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF WORD COUNT

This Brief complies with Local Rule 7.3(d) (1)'s word count limitation. The word count feature on Microsoft Word states the word count of the counted portions of this response is 373 words, within the 6,250 word limit.

/s/Frank J. Wathen
Frank J. Wathen

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 7, 2020, Plaintiff filed the foregoing Instrument via ECF filing which will serve all counsel of record in the above-referenced matter.

/s/Frank J. Wathen
Frank J. Wathen